IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CONSTELLATION NEWENERGY, INC. : CIVIL ACTION

V.

POWERWEB TECHNOLOGIES, INC. : NO. 02-2733

ORDER

AND NOW, this day of April, 2004, after a telephone conference with counsel, it is hereby ORDERED that the motion of defendant Powerweb Technologies, Inc. for leave to file second amended counterclaims is DENIED as out of time.

BY THE COURT:

J.